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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**

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10 **MARTIN S. ROOD,**

11 Plaintiffs,

12 vs.

13 **ARTHUR F. NELSON, et al.,**

14 Defendants.

2:12-cv-893-GMN-NJK

**ORDER**

Motion to Extend Discovery (#43)

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16 This matter comes before the Court on Plaintiff's Motion to Continue Discovery. Docket  
17 No. 43. Plaintiff requests a 180-day extension of the discovery deadline.

18 Local Rule 24-6 governs extensions of discovery deadlines. Pursuant to the rule, "All  
19 motions or stipulations to extend a deadline set forth in a discovery plan shall be received no  
20 later than twenty-one (21) days before expiration of the subject deadline." Local Rule 26-4. Any  
21 motion or stipulation filed before 21 days prior to the expiration of the subject deadline must be  
22 supported by a showing of good cause. *Id.* Any motion or stipulation filed less than 21 days  
23 prior to the expiration of the subject deadline (or after the subject deadline has expired) must be  
24 supported by a showing of excusable neglect. *Id.*

25 Here, Plaintiff has requested an extension of the discovery deadline 33 days before it  
26 expires and, therefore, Plaintiff must show good cause for the requested extension. According to  
27 Plaintiff, an extension of discovery is needed because Defendant Gillespie has yet to responded  
28 to any written discovery requests despite those requests being served on May 22, 2013. Plaintiff

1 further represents that Gillespie's counsel has been cooperative in the matter and anticipates  
2 producing Gillespie's responses shortly. Additionally, in light of the withdrawal of Plaintiff's  
3 counsel, Plaintiff would like sufficient time to allow his new counsel to conduct any additional  
4 discovery new counsel might think necessary.

5 Having reviewed the matter, the Court finds that good cause exists for a slight extension,  
6 but not for a full 180 days as Plaintiff has requested. Currently, discovery is set to close in 33  
7 days, therefore an extension of 60 days would allow the Plaintiff over 90 days to complete all  
8 remaining discovery. The Court finds that, in light of the discovery that Plaintiff indicates still  
9 needs to be completed, 90 days is more than sufficient. Accordingly, the Court grants a 60 day  
10 extension of the discovery deadline.

11 **CONCLUSION**

12 Based on the foregoing, and good cause appearing therefore,

13 **IT IS ORDERED** that Plaintiff's Motion to Continue Discovery (#43) is **DENIED in**  
14 **part, and GRANTED in part.**

15 **IT IS FURTHER ORDERED** that the request to extend all other remaining deadlines  
16 by 180 days is **DENIED.**

17 **IT IS FURTHER ORDERED** that the Discovery Deadline is extended 60 days.

18 DATED this 23rd day of August, 2013.

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21 NANCY J. KOPPE  
22 United States Magistrate Judge  
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